

107507500

DT04 Rec'd PCT/PTO 13 SEP 2004

Attorney Docket No.: 26307

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

SIMON

Serial No.: Not yet assigned

Group Art Unit: Not yet assigned

Filed: September 13, 2004

Examiner: Not yet assigned

For: **USE OF PROTON PUMP INHIBITORS FOR THE TREATMENT OF AIRWAY DISODERS**

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**IN THE CLAIMS**

Please amend claims 1 and 7-9, cancel claims 2-5 without prejudice to or disclaimer of the subject matter contained therein, and add new claim 10 as outlined in Appendix A, entitled "Claim Amendments", attached herewith.

**IN THE ABSTRACT**

Please add the Abstract as outlined in Appendix B, attached herewith.

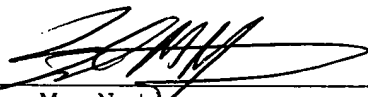
**REMARKS**

The amendments to the claims do not introduce new matter within the meaning of 35 U.S.C. §132. Accordingly, the Examiner is

respectfully requested to enter the above amendment before examination. If the Examiner has any questions regarding this submission, she is invited to telephone the undersigned attorney.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

By:   
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Date: September 13, 2004

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